REMARKS

In the Office Action dated August 26, 2005, claims 1 and 5-11 were rejected under 35 U.S.C. §102(b) as being anticipated by Yoshimura. Claims 2 and 3 were rejected under 35 U.S.C. §103(a) as being unpatentable over Yoshimura in view of Wiley et al. Claims 12 and 13 were rejected under 35 U.S.C. §103(a) as being unpatentable over Yoshimura in view of Fang et al.

These rejections are respectfully traversed for the reasons discussed below.

Applicants note with appreciation that claim 4 was stated to contain allowable subject matter, and would be allowable if rewritten in independent form. In view of Applicants' belief that independent claim 1 is patentable over the prior art relied upon by the Examiner, however, claim 4 has been retained in dependent form at this time.

As explained in the paragraph beginning at page 2, line 10 and proceeding to the bottom of page 3 of the present specification, it known, and required by governmental postal authorities, to protect electronically stored monetary values, as well as cryptographic information, in a security module that has a physical barrier that is intended to preclude access to the security component in the security module. Since these components typically include one or more memories that must be continuously supplied with a voltage in order to maintain the integrity of the information stored therein, it is common to include a back-up battery in the security module to supply voltage to those components in the event of a loss of power from the mains voltage. As also explained in the aforementioned passage in the present specification, because this back-up battery is contained in the security module, if the back-up battery must be replaced, due to aging thereof or prolonged usage thereof, this is problematic, and generally requires breaking into the security barrier that is

used as protection for the security module. Therefore, if power outages occur with moderate frequency, the back-up battery in the security module will have to be replaced at a time that is earlier than its normal lifetime expectancy. Because of the difficulty of doing so, it is often the case in such circumstances that the entire security module is replaced, thereby making battery replacement relatively expensive.

This problem is solved in accordance with the present invention by providing a second back-up battery that is located outside of the physical barrier that protects the security module, and therefore this second back-up battery can be easily replaced, as needed. It is this second back-up battery that is normally used as the back-up battery for the components in the security module if an outage of mains voltage occurs. Only if an outage of mains voltage occurs and the second back-up battery itself cannot provide the necessary voltage (due to the second back-up battery itself being drained, or at the end of its lifetime, or simply absent for some reason) does the first back-up battery in the security module become connected to the components in the security module, by the battery switchover device, so as to supply power to those components. Therefore, since it is normally the second back-up battery, outside of the security region, that is used in the case of power outage of the mains voltage, the lifetime of the first back-up battery in the security module is prolonged, so that the likelihood of only having to replace that first back-up battery at the end of its normal lifetime is increased. Therefore, even if power outages occur relatively often, it is the second back-up battery that is used in those circumstances, which is unproblematical because the second back-up battery can be easily replaced, unlike the first back-up battery in the security region.

In applying the disclosure of the Yoshimura patent against the subject matter of claim 1, the Examiner characterized the Yoshimura memory device as having a "security region" on the basis that sensitive data stored in the memory device had to be backed-up in the event of a power loss. Claim 1 has been amended to make clear that the term "security region" does not mean merely a region that requires electronic back-up, but is a region to which physical access is normally precluded, by means of a mechanical security barrier. The mechanical security barrier is of the type described in the aforementioned portion of the specification as originally filed at pages 2 and 3. Moreover, the security region that contains the first battery is described at many locations in the present specification as being a postal security device (PSD). Such a postal security device is a device that is well-known to those of ordinary skill in the field of designing franking machines, and must have such a mechanical security barrier that is in compliance with the governmental regulations of the postal authority in the country in which it is used. The fact that the security region has such a physical or mechanical security barrier is therefore amply supported in the specification as originally filed.

The mere electronic protection against erasure of data in the Yoshimura reference is not the same as such a mechanical security barrier as set forth in claim 1. Moreover, both BAT1 and BAT2 in the Yoshimura reference on which the Examiner relied as corresponding to the first and second batteries of claim 1 of the present application, are disposed in the same region of the Yoshimura device. There is no difference in access to either of the BAT1 or BAT2; either of those batteries can be easily replaced without any difficulty, unlike the first battery in claim 1 of the present application.

The Yoshimura reference, therefore, does not disclose all of the elements of claim 1 of the present application, and therefore does not anticipate claim 1. Claims 5-11 add further structure to the novel combination of claim 1, and are therefore not anticipated by Yoshimura for the same reasons discussed above in connection with claim 1.

As to the obviousness rejections of the remaining claims based on the Yoshimura reference in combination with the respective secondary references, Applicants do not have a significant disagreement with the statements of the Examiner concerning the teachings of the individual secondary references (Wiley et al. and Fang et al.). For the reasons discussed above, however, even if the Yoshimura device were modified in accordance with the teachings of either of those secondary references, the subject matter of claims 2, 3, 12 and 13 still would not result, since each of those claims embodies the subject matter of independent claim 1 therein. There is no teaching in any of those references with regard to a solution to the problem of battery replacement when one of the batteries is located in a security region to which physical access is normally precluded by a mechanical security barrier. Since none of those references discusses this problem, none of those references can provide any guidance, suggestion or motivation to a person of ordinary skill in the design of battery back-up for such a device.

Claim 14 has been added wherein the security module is specifically stated to be a postal security device. Claim 14 is submitted to be patentable over the prior art of record for the same reasons discussed above with regard to the other claims of the application.

All claims of the application are therefore submitted to be in condition for allowance, and early reconsideration of the application is respectfully requested.

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